



PATENT
Attorney Docket No. 05273.0096

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Akira Suzuki et al.) Group Art Unit: 1796
Application No.: 10/526,503) Examiner: Saira Bano Haider
Filed: March 4, 2005)
For: Method for Preparation of) Confirmation No.: 9248
Microsphere and Apparatus) Therefor
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO OFFICE ACTION

In the August 20, 2008 Office Action, the Examiner has maintained her rejection of claims 1-4, 7, 11-16 and 19-22 under 35 U.S.C. §103(a) for being obvious over Suzuki in view of Lenk.

Applicants' method as set forth in claim 1 has been discussed in detail in previous Replies and will not be repeated here. While the primary reference to Suzuki also relates to a method for preparing microspheres and belongs to the same assignee as the present invention, the Examiner acknowledges in paragraph 9 on page 3 of the Office Action that Suzuki fails to disclose:

- (1) the utilization of a cross-flow filter where a filtrate from it is recycled to an emulsifying apparatus; and
- (2) evaporation of the organic solvent inside the microsphere (MS) storage tank.